

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 12-17 have been withdrawn from further consideration as being drawn to a nonelected embodiment of the invention; Claims 11 and 12 have been objected to as containing informalities and Claims 11 and 12 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Stelljes in view of Kang. Claims 1-10 have been canceled along with Claims 12-17 while new Claims 18 and 19 have been added and thus, Claims 11, 18 and 19 remain active.

Claims 13-17 (incorrectly indicated by the Examiner as being Claims 12-17) were withdrawn from further consideration as being drawn to a nonelected embodiment and such claims have therefore now been canceled, without prejudice.

Next considering then the Examiner's objection to Claims 11 and 12 due to informalities, it is to be noted that the informalities in Claim 11 indicated by the Examiner have now been properly corrected as suggested by the Examiner.

Considering next then the rejection of Claims 11 and 12 under 35 U.S.C. §103 as being unpatentable over Stelljes in view of Kang, Applicant notes that Stelljes teaches providing means for retaining a release plunger 18 in a depressed position when a bag is in an open condition, allowing it to rise only after the catches 15 have been fully entered into a lock casing 22 and are in position to become engaged therein, thereby avoiding excessive and unnecessary movement by which wear is incurred (in lines 83-86 of page 1 and in Figures 1 to 3).

The lock of Stelljes for a handbag is configured such that the catches 15 formed on a frame element 13 are inserted into openings 25 formed through the front wall of the lock

casing 22 formed on a frame element 14 and that the cam faces of keeper detents 26 are engaged with catch openings 16 (in lines 83-86 of page 1 and in Figures 1 to 3).

Since the lock casing 22 is fixed to the frame element 14 so that it may be disposed on the lower side of an escutcheon 17 formed on the upper surface of the frame element 14 (refer to lines 62-63 of page 1 and Figures 1 to 3), when closing the handbag, the catches 15 will not mar the escutcheon 17 on the frame cover 12 formed on the frame element 14, i.e., the upper surface of the frame element 14.

In view of the foregoing, it is noted that Stelljes lacks motivation for inferring the technique of the present invention for preventing the degradation of the appearance of an eye-catching part of a handbag when a fastening metal fitting has been brought into contact with a portion of the main body of a lock metal fitting other than a lock opening formed therein in the case of a fastener fulfilling its function when a lid member of a bag has been received on the upper side of the main body of the bag as in the present invention.

In addition, as the Examiner has admitted in paragraph 4, page 3 of the Office Action, Stelljes fails to disclose the catch 15 to be provided with a synthetic resin.

Moreover, the Stelljes neither discloses or suggests any countermeasure against a possible shifting of the fastening metal fitting in the up-and-down and right-and-left directions. For this reason, when the invention of this reference is applied to a fastener fulfilling its function when the lid member of a bag has been received on the main body of the bag, there is a clear possibility of the fastening metal fitting failing to be readily inserted into the lock opening formed in the main body. This will clearly result in the fastening metal fitting scratching the metallic surface of the main body of the lock metal fitting.

To the contrary, according to the present invention, since the distal end surface of the engaging piece is provided with a synthetic resin member configured for preventing damage to the metallic surface, there is no possibility of the distal end surface of the engaging piece

scratching the metallic surface of the main body of the lock metal fitting even when both the fastening metal fitting and the main body of the lock metal fitting assume any face-to-face relationship.

Kang discloses a striker in which a latching loop 15 is coated with a noise damping material 19 (in paragraph [0038] and in Figure 1), and the noise damping material 19 is made of synthetic resin (in paragraph [0041]). However, the noise damping material 19 of Kang is coated on the U-shaped latching loop 15 without the function of preventing damage to the surface of the fastener for a glove box hingedly fixed to the front surface of the passenger's seat of an automobile when locking the glove box relative to a dashboard. Furthermore, the noise damping material 19 of this citation is substantially uniformly coated on the U-shaped latching loop 15 excluding the part thereof in the vicinity of the bracket 11.

On the other hand, in the present invention, the damage-preventing member is provided not on the engaging ring 18 receiving the latch member 19, but instead on the surface of the engaging piece that engages the latch mechanism. Therefore, the latch member 19 is received in the engaging ring 18 without interfering with the damage-preventing member. Thus, there is no problem in opening and closing the bag.

In the present invention, therefore, it is possible to keep the metal surface of the latch mechanism beautiful without deteriorating the function the fastener for a bag naturally has.

As stated above, the present invention clearly differs in object and configuration from Stelljes and Kang and the benefits and effects thereof cannot be obtained from these citations. In addition, there is no description either disclosing or suggesting the configuration of the present invention in these citations.

As stated above, therefore, the above-noted reference lack in the motivation for inferring the technique of the present invention for preventing the degradation of the sensuousness of an eye-catching part of a handbag when a fastening metal fitting has been

sensuousness of an eye-catching part of a handbag when a fastening metal fitting has been brought into contact with a portion of the main body of a lock metal fitting other than a lock opening formed therein in the case of a fastener fulfilling its function when a lid member of a bag has been received on the upper side of the main body of the bag as in the present invention.

In view of the foregoing, it is respectfully submitted that Claim 11 patentably defines over Stelljes and Kang as well as the remaining references of record.

It is further noted that new Claim 18 has been added which further defines the latch mechanism as being located on an outer surface of the bag. This limitation is therefore clearly contrary to the latch mechanism 26 of Stelljes which instead is positioned within the bag, as illustrated in Figure 1 of such reference. Insofar as Kang does not disclose the location of the bracket shown therein, such fails to rectify the deficiencies noted hereinabove with regard to Stelljes.

Applicant further notes that Claim 19 has been added to claim that the metallic surface is located on an upper surface of the latch mechanism as claimed in Claim 18 which claims the latch mechanism as being located on an outer surface of the bag. Since the only structural element in Stelljes located on an outer surface of the bag is the escutcheon 17 and associated structure, it is respectfully submitted that Claim 19 also patentably defines over Stelljes, Kang, as well s the remaining references of record.

In view of the foregoing, an early and favorable Office Action is believed to be in order and the same is hereby respectfully requested.

Respectfully submitted,

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